

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
TUESDAY- -NOVEMBER 16, 2010- -7:00 P.M.

Mayor Johnson convened the meeting at 7:33 p.m. Councilmember Gilmore led the Pledge of Allegiance

ROLL CALL - Present: Councilmembers deHaan, Gilmore, Matarrese, Tam and Mayor Johnson – 5.

Absent: None.

AGENDA CHANGES

(10-539) Mayor Johnson announced that the resolutions of appointment [paragraph no. 10-547] would be addressed after the Consent Calendar and that the Joint Meeting Presentation on the Alameda Reuse and Redevelopment Authority Board Composition would be continued to December 1, 2010.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

None.

CONSENT CALENDAR

Councilmember Matarrese moved approval of the Consent Calendar.

Vice Mayor deHaan seconded the motion, which carried by unanimous voice vote – 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*10-540) Minutes of the Special and Regular City Council Meetings held on November 3, 2010. Approved.

(\*10-541) Ratified bills in the amount of \$2,607,626.57.

(\*10-542) Recommendation to Accept the Quarterly Sales Tax Report for the Period Ending June 30, 2010. Accepted.

(\*10-543) Recommendation to Accept the Quarterly Treasury Report for the Period Ended September 30, 2010. Accepted.

(\*10-544) Recommendation to Reject the Sole Bid and Resolution No. 14504 “Authorizing Open Market Negotiations of a Contract Pursuant to Section 3-15 of the Alameda City Charter for the Sewer Point Repairs and Asphalt Concrete Replacement within the City of Alameda, No. P.W. 07-10-20, and Authorizing the Interim City Manager to Enter into Such an Agreement.” Adopted.

(\*10-545) Resolution No. 14505, “Retaining Local Control Over Critical Land Use Decisions and Requesting Local Government and Public Participation in the Proposed Bay Conservation and Development Commission Climate Change Bay Plan Amendment 1-08.” Adopted.

(\*10-546) Resolution No. 14506, “Ordering Vacation of Portions of Existing 10 Foot Wide Power Easement and 25 Foot Wide Public Utility Easement, Within Parcel 2 of Parcel Map 2542, Recordation of Quitclaim, and Acceptance of Two New Power Easements (Alameda Towne Centre).” Adopted.

### REGULAR AGENDA ITEM

(10-547) Resolution No. 14507, “Appointing Susan T. Deutsch to the Commission on Disability Issues.” Adopted;

(10-547A) Resolution No. 14508, “Appointing Sim “Kame” Richards to the Economic Development Commission (EDC) (Marine/Waterfront Seat).” Adopted; and

(10-547B) Resolution No. 14509, “Appointing Robert Robillard to the EDC (Retail/Commercial Seat).” Adopted.

Councilmember Matarrese moved adoption of the resolutions.

Councilmember Tam seconded the motion, which carried by unanimous voice vote – 5.

The City Clerk administered the Oath of Office and presented Certificates of Appointment to Ms. Deutsch and Mr. Richards.

### CITY MANAGER COMMUNICATIONS

(10-548) Presentation of Vision for Webster Street

Barry Long, Urban Design Associates, gave a Power Point presentation.

Speakers: David Baker, Alameda; Kevin Frederick, Alameda (gave presentation); Nancy Hird, Alameda; Corrine Lambden, Alameda (submitted picture); Kathy Moehring, West Alameda Business Association; Travis Wilson, Alameda; Michael John Torrey, Alameda; Christopher Buckley, Alameda Architectural Preservation Society; Jon Spangler, Alameda.

Following Ms. Lambden’s comments, Mayor Johnson inquired whether the Webster Street Tube is on the National Historic Register, to which Ms. Lambden responded that she does not know.

Mayor Johnson stated funding might be available for restoration if the Webster Street Tube is on the Register.

Vice Mayor deHaan inquired whether the community has been engaged in the vision.

Mr. Long responded the process has been well advertised; stated the neighborhood meeting had a good turn out; ensuring that Webster Street maintains a quirky character is the main concern.

Vice Mayor deHaan stated Park Street would be dead at certain times if not for Alameda High School; inquired whether the College of Alameda participates in the same way as Alameda High School; the area has a high volume of fast food restaurants.

Mr. Long responded students heavily use fast food restaurants.

Vice Mayor deHaan inquired whether the Beltline property would be included in the vision.

Mr. Long responded Council has approved a Master Plan for the Beltline property; stated that he understands the cross Alameda trail would be part of the vision.

Vice Mayor deHaan inquired whether funding is available to finish landscaping for the last two blocks in the area, to which the Deputy City Manager – Development Services responded all available funding is being reviewed.

Vice Mayor deHaan inquired whether the tower's portals have been addressed.

The Deputy City Manager – Development Services responded in the negative; stated staff is reviewing signage.

Mr. Long stated the issue belongs in the fix-up category; the portal is very beautiful and its current state is a crime; the portals belong to CalTrans; CalTrans needs to spend money on and give attention to the portals.

Mayor Johnson stated the paint should be taken off the windows and light fixtures are terrible.

Vice Mayor deHaan stated the backside of the buildings are in a remarkable area and could be transformed.

Mayor Johnson stated Webster Street and Park Street have nice alleys; an alley plan should be developed for both business districts.

In response to Mayor Johnson's inquiry, Mr. Long stated elevating the height limit to sixty feet is being proposed; that he recommends against a sixty-foot height limit except for two areas; the Days Inn site could support a taller façade facing the Beltline property and College of Alameda; the right-of-way is very wide and needs a larger building to

hold the gateway; the Neptune Plaza site should have a taller height limit if a tower is brought back; that he recommends that the height limit not be elevated for the eight core blocks.

Mayor Johnson inquired whether the proposed height limit would be part of the vision plan, to which Mr. Long responded in the affirmative.

Mayor Johnson inquired what would be the next step in the process and when building height discussions would come back to Council.

The Deputy City Manager – Development Services responded staff would come back to Council with a completed vision book in January.

Mayor Johnson inquired whether Council feedback needs to be given tonight; stated the vision book should be brought back to Council before final approval.

The Deputy City Manager – Development Services responded the intent is to present the big picture to Council and have Council provide input; stated staff would then come back to Council with a vision book for acceptance in January; at that time, Council would need to decide whether or not a form-based code should be developed.

Mayor Johnson stated her concern is that a vision book would come back to Council in a fairly final form.

The Deputy City Manager – Development Services stated tweaks could be made when the vision book comes back to Council in January.

Councilmember Matarrese stated that he is glad to see ride share lots; suggested keeping a list of lessons learned, such as bulb outs issues; stated people have noticed that Willie Stargell Avenue and Webster Street have bus stops; the outbound bus stop does not have trash cans and trash is mounting; people are stepping into brand new landscaping when stepping off the bus; keeping a list of past mistakes would be helpful.

Councilmember Gilmore stated before planning for a tower, she would like to see something done with the portals, which already exist; inquired whether car sharing would have casual carpool lots; stated the intersection of Santa Clara Avenue and Webster Street has a casual carpool lane.

The Planning Services Manager stated park and ride lots have not been discussed but would be included in the vision book.

Councilmember Gilmore stated carpool lots are farther up the street; the casual carpool lane is closer to Central Avenue; it does not appear that there would be a carpool lot for the casual carpool lane.

Mr. Long stated the matter would be reviewed; tonight's presentation is pretty much the

same as the workshop presentation to the West Alameda Business Association (WABA) Board; all feedback would be referenced in the vision book.

Mayor Johnson inquired what is the purpose of the vision book, to which the Deputy City Manager – Development Services Manager responded the vision book would provide a big picture.

Mayor Johnson stated Council needs to understand open issues and what direction is needed.

The Deputy City Manager – Development Services stated focus needs to be on development initiatives and the look and feel of the vision.

Mayor Johnson stated Council needs to have a better understanding of the disputed areas and specific issues that need Council direction in addition to general thoughts about the presentation.

Councilmember Tam stated that she wants to see cohesion of planning principles; form-based planning would respect the uniqueness of the district and would provide consistency for planners when regulations are imposed on applicants; that she wants to look at the implementation plan very carefully in terms of the perpetual paradox with public visioning and respecting private property rights; questioned how staying power would be kept and how a form-based code would allow growth with changes.

Vice Mayor deHaan stated his concern has always been with having Catellus at Alameda Landing and how overflow would be integrated; that he still sees a disconnect; he does not hear any discussion regarding Alameda Landing or Marina Village.

Mr. Long stated Catellus gave an update on Alameda Landing; the College of Alameda is the important piece to wire things together; that he sees Alameda Landing as an important part of Webster Street; plans have been integrated with what has already been done because the process is so far along; Alameda Landing is going to pull a tremendous number of residents down Webster Street.

Mayor Johnson stated for years, people have talked about how the College of Alameda College could be a part of Webster Street; the College seems isolated due to the large lawn area and the back of the buildings facing Webster Street; inquired what the solution would be.

Mr. Long responded exiting the College has three hurdles: 1) the Atlantic Avenue intersection is disconnected; 2) the Atlantic Avenue crossing experience; and 3) the Beltline property, the vacant car dealership, and the Day's Inn blank wall.

Mayor Johnson stated drawing people in the other direction would be good too; inquired whether Mr. Long has talked to the College.

Mr. Long responded in the affirmative; stated the College is a stakeholder in the process; discussions have involved pulling in some food uses along the corridor; the College recognizes that synergy is not being realized.

Vice Mayor deHaan stated the vision book should include dialogue regarding the matter; that he would love to have an Alameda Landing update; having Alameda Landing spill over to Webster Street is important.

Mr. Long stated Park Street and Webster Street are the traditional commercial streets; having additional retail not cannibalize the areas is important.

Mayor Johnson inquired whether long-term, future parking has been addressed.

Mr. Long responded the parking strategy has moved away from the traditional zoning model; an Urban Land Institute (ULI) shared parking strategy will be discussed; considering synergy between uses is necessary with a mixed-use environment; the strategy is to meter some of the underutilized, existing lots.

Mayor Johnson inquired whether a long-term strategy would be reviewed.

Mr. Long responded in the affirmative; stated that he recommends developing a parking management plan.

Mayor Johnson stated that she does not think vacant lots should be used for parking.

Mr. Long concurred with Mayor Johnson; stated one size would not fit all for Webster Street; traditional main streets share the parking reservoir; Lincoln Avenue to Atlantic Avenue has off-street parking behind businesses; commuter parking might be able to move to a better located lot, which would free up the parking reservoir.

Vice Mayor deHaan stated he does not see parking addressed in the vision plan; success stories have not been utilized.

The Deputy City Manager – Development Services stated said issues would be incorporated in the next visioning steps.

Mayor Johnson stated growth and success would be limited if parking is not provided; inquired whether the proposed height limit would be incorporated in the vision plan.

The Deputy City Manager – Development Services responded the vision plan is not an entitlement; in January, staff will provide recommendations to codify the vision book into a form-based code, which would then be an entitlement for Webster Street.

Mayor Johnson stated Council should provide input; she likes the idea of moving forward with the portals and designating the Webster Street Tube on the National Historic Register to ensure protection; looking into creating a tower at Neptune Plaza is

a good idea; commercial use may make the idea economically viable.

Mr. Long stated the only controversial issues have been pushing to make the tower taller and being more aggressive with the gateway treatment.

Vice Mayor deHaan stated the shopping list has a lot of low hanging fruit; that he would like to see the list prioritized and put into a timeline.

Mr. Long inquired whether cutting the list into short, medium, and long-term timelines would provide enough prioritization, to which Vice Mayor deHaan responded in the affirmative.

(10-549) Presentation of Vision for Del Monte, Encinal Terminals, and Chipman Warehouse Sites

Barry Long, Urban Design Associates, gave a Power Point presentation.

Speakers: Former Councilmember Barbara Kerr, Alameda; Michael John Torrey, Alameda; and Christopher Buckley, Alameda.

Councilmember Matarrese stated the Clement Avenue extension is problematic because of housing incompatibility; the area is a truck route; the number of traditional houses would be pushed back; splitting up the sites would be good because the Chipman site is a blank slate and the Terminals renovation would be outrageously expensive because of the pilings; the Alameda Landing project pretty much stopped when Catellus found out how much [piling restoration] would cost; the area should be returned to wetlands; Del Monte should be the first priority.

Mr. Long stated residents noted that the elimination of container use at the Terminals site has significantly reduced truck traffic; Del Monte still generates truck traffic; the Chipman site is on dirt; the pilings are on the edges, approximately ten or fifteen feet around parts of the parameter; one approach would be to require less foundation.

Mayor Johnson inquired whether piling conditions have been examined, to which the Deputy City Manager – Development Services responded in the negative.

Mr. Long stated the Bay Conservation and Development Commission (BCDC) has jurisdiction over one-hundred feet around the property; the City would end up with the largest park in the neighborhood by taking the required parameter of the Encinal Terminals site.

Mayor Johnson stated understating conditions is important; the City had one idea in mind going into the Catellus project; significant changes were needed because of conditions.

The Deputy City Manager – Development Services stated staff hired a civil engineer

firm to review the work done by the property owner.

Councilmember Matarrese stated the common thread of all discussions has been knowing how much tax increment would be available to provide for infrastructure.

In response to Vice Mayor deHaan's comments, the Deputy City Manager – Development Services stated staff has discussed what the maximum allowable commercial and housing would be in order to respond to market demand.

Mr. Long stated parking is a mind numbing issue; parking calculations were run in three different ways; detailed construction drawings for Del Monte have included a thorough analysis of how many parking spaces could be put on the site; the Encinal Terminals site has some serious concerns; the State Tidelands require marine oriented uses; a chunk of Encinal Terminals is already spoken for; that his recommendation is not to compete with other things being done in other areas of the Island; a good fit would be a quirky, organic environment.

Councilmember Gilmore stated that she is somewhat pessimistic because she has been looking at over fifteen years of plans and ideas to develop the Del Monte site; none have come to fruition; sometimes economics were the reason; other times, the property owner could not pull the trigger on the plan; questioned how the City could say it is time to pull the trigger and get the property owner to take the next step.

Mr. Long responded this time, the process is different; before, the property owner worked with a consultant to develop detailed plans and brought the plans to the City for the public process; this time, the property owner has come to the City to partner to develop a plan that would work with the General Plan and be feasible.

The Deputy City Manager – Development Services stated options could be discussed, including tax increment, to help move the project forward.

Councilmember Gilmore stated the issue is not just financing.

Councilmember Tam inquired whether collaboration between the property owner and the City is being suggested; further inquired how “quirky and organic” could be financed.

Mr. Long responded the suggestion is to provide flexibility within the parameters of the General Plan; stated permitted uses are defined.

The Deputy City Manager – Development Services stated staff does not want to have entitlement until a developer is in place to help guide the general vision; the next step would be to partner with a developer to put entitlement and Master Plan together.

Mayor Johnson stated that she likes the idea rather granting entitlement for years or decades before a project moves forward; she does not like the idea of a Tidelands trust exchange; the area should remain in the Tidelands Trust.

## REGULAR AGENDA ITEMS

(10-550) Public Hearing to Consider Adopting Amendment #1 to the FY2010-11 Community Development Block Grant (CDBG) Action Plan, and Authorize the Interim City Manager to Negotiate and Execute Related Documents, Agreements, and Modifications.

The Housing Development and Programs Manager gave a brief presentation.

Vice Mayor deHaan inquired what would be the cost of the proposed [Boys and Girls Club] commercial kitchen, to which the Housing Development and Programs Manager responded \$58,200 for equipment.

Speaker: Doug Biggs, Alameda Point Collaborative.

Councilmember moved Tam approval of the staff recommendation.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote – 5.

(10-551) Resolution No. 14510, “Approving the Mitigated Negative Declaration and the Bicycle Master Plan.” Adopted.

Mayor Johnson inquired whether the proposed updates modify the current Bicycle Master Plan, to which the Transportation Coordinator responded in the affirmative.

Mayor Johnson stated staff should be clearer;; people might think that the City is adopting a Bicycle Master Plan for the first time.

The Transportation Coordinator gave a Power Point presentation.

Mayor Johnson inquired whether some interim work could be done on a short-term, ten-year basis for the current Bayview Shoreline Bicycle Path; stated the area is dangerous.

The Public Works Director responded staff has had on-going discussions with BCDC on the matter; stated BCDC wants the City to come up with a full plan for the entire area before maintenance is done.

Mayor Johnson stated a full plan should be developed; the staff report indicates the feasibility study would be elevated.

The Transportation Coordinator stated “elevated” refers to elevating the study to a high priority.

Councilmember Gilmore inquired when neighbors would weigh in on the plan, to which

the Public Works Director responded staff would have public meetings as the plan is developed.

Councilmember Gilmore inquired whether the bicycle path is close to the water and becomes very muddy.

The Public Works Director responded in the affirmative; stated the area has tidal influence and mud flats; BCDC wants the area brought back to its native habitat.

Mayor Johnson stated the area is included in the City's Bay Trail also.

Councilmember Matarrese stated the area has no bike path; certain areas are sandy and water gathers when the tide comes in; improvements would be very expensive and would require outside money; elevation would need to be part of the plan.

Mayor Johnson stated sometimes money is available for bay trails.

The Transportation Coordinator stated a letter of support was submitted when the issue was brought to the Planning Board.

Mayor Johnson stated the City probably has received less than its fair share of bay trail money.

Vice Mayor deHaan inquired whether the \$6 million in Alameda Point Measure WW funding has been taken into account.

The Deputy City Manager – Development Services responded staff will meet with East Bay Regional Park on Thursday; stated she will have a better understanding at that time; an update could be provided.

Councilmember Matarrese stated priorities are in fairly decent shape; that he would like to adjust the points schedule for assigning priorities; reducing conflicts should have a higher score because the City is compact; that he would like to see a higher number of points assigned to reducing conflicts; the City has a fairly mature bike plan; reducing conflicts would put more people on bicycles; in the past, bicycle racks have not been installed or were the last things to be put in place; that he would like a formalized checklist so that projects are not signed off until promised mitigations are put in place.

Councilmember Tam stated that she would like to see reduction in conflicts elevated for different reasons; Safe Routes to School is funded through the Pedestrian Plan; for the last ten years, a significant investment has been made on Rock 'n Roll to School; that she sat through a lengthy session with the School Board on Saturday; the School Board talked about school consolidation and closures if the parcel tax does not pass; some major changes would affect pedestrian and bicycle safety along with cross-town traffic if Encinal High School and Alameda High School boundaries are changed along with consolidating Otis Elementary, Lincoln Middle, and Edison Elementary schools; inquired

whether there is a way to ensure adequate funding to review impacts if said situations occur; further inquired whether the School District has been consulted throughout the process.

The Transportation Coordinator responded staff has been working with the School District on developing Safe Routes to School maps; stated routes have been identified and are updated on an on-going basis.

Councilmember Tam stated students are encouraged to use bicycles; students would travel longer distances to mega schools; students might be dropped off which would result in conflict between vehicles, bicyclists, and pedestrians; inquired whether the issue could be accommodated in the Bicycle Plan, to which the Transportation Coordinator responded in the affirmative.

Mayor Johnson inquired whether the beach has bike racks; stated in 1999, she was assured that the beach had bike racks; that she has not seen any.

The Transportation Coordinator responded that he is not aware of any.

Mayor Johnson stated bike racks are needed at the beach.

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Councilmember Tam left the dais at 10:45 p.m. and returned at 10:48 p.m.

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The Public Works Director stated bike racks are budgeted in this year's Capital Improvement Project fund.

Vice Mayor deHaan stated improvements have been made over the years; inquired how improvements could be captured.

The Transportation Coordinator responded the Bicycle Master Plan has a table that summarizes completed projects over the last ten years.

Speaker: Jon Spangler, Alameda.

The Public Works Director stated staff has been working on concerns, which are addressed in the handout submitted by the Transportation Coordinator.

Councilmember Matarrese inquired whether the proposed bicycle/pedestrian bridge is possible, but not likely; stated that he does not believe anyone would give the City \$60 million or provide an operator to open and close the bridge; the City can spend a fraction of the amount and have more bikes cross the estuary; a land-side shuttle is the cheapest, most realistic, and efficient method.

The Transportation Coordinator inquired whether the proposed bicycle/pedestrian

bridge should be struck altogether.

Councilmember Matarrese responded the bridge should be included but noted that the bridge is not probable.

Mayor Johnson stated that she does not think any senator would put their name on a bicycle bridge; the City may be foregoing other opportunities waiting for the \$60 million.

The Public Works Director stated the item could be struck or language could state that the bridge most likely will never happen.

Councilmember Matarrese stated the item could have a footnote stating that the issue was studied but is highly unlikely to happen.

The Transportation Coordinator stated the footnote could include that the bridge would be deemed as infeasible because of funding.

Vice Mayor deHaan stated the Webster Street Tube has a roadway along the side that only penetrates out to the Oakland side; staff should find a way to continue the roadway to the Webster Street area; inquired whether anyone has looked into the matter.

The Public Works Director responded the difficulty is with the high retaining wall exiting the Webster Street Tube; stated Caltrans says that the retaining wall would need to be moved to provide for a bike lane.

Councilmember Tam inquired whether modifications have been made to address school closure and consolidation issues.

The Transportation Coordinator responded language could be inserted.

Vice Mayor deHaan moved adoption of the resolution with amendments discussed.

Councilmember Tam seconded the motion, which carried by unanimous voice vote – 5.

#### ORAL COMMUNICATIONS, NON-AGENDA

(10-552) Ken Peterson, Alameda, discussed Alameda Point going forward.

(10-553) Janet Gibson, Alameda (submitted correspondence); Kathy Schumacher, Alameda; Gretchen Lipow, Alameda; Rosemary McNally, Alameda (submitted correspondence); Darcy Morrison, Alameda; and Irma Garcia Sinclair, Alameda, discussed SunCal's activity related to the last election.

(10-554) Dr. Carol Gottstein, Alameda, discussed development.

(10-555) Jon Spangler, Alameda, discussed nominations to the Transportation

Commission and moving forward without focusing on SunCal.

Following Mr. Spangler's comments, Vice Mayor deHaan stated an email was received two days ago regarding the ineptness of the Interim City Manager; SunCal has not stopped its efforts; SunCal's agenda is clear and will not go away.

Mayor Johnson stated no other community the size of Alameda has endured a war waged by a developer or private company that Alameda has had to endure; the recent letter is very consistent with other letters published on the blog regarding the Interim City Manager; the Interim City Manager sat in on a deposition on Friday rather than doing normal work; SunCal is still present.

(10-556) Robb Ratto, Park Street Business Association, urged considering 60 feet as the height limitation for Webster Street.

(10-557) Nancy Hird, Alameda, discussed Alameda Point going forward.

#### REGULAR AGENDA ITEM

(10-558) Introduction of Ordinance Amending Municipal Code Section 30-4.9a (Community Commercial Zone) to Amend the Lists of Permitted and Conditionally Permitted Uses. Introduced.

The Planning Services Manager provided a brief presentation.

Speakers: Kathy Moehring, West Alameda Business Association (WABA); and Robb Ratto, Park Street Business Association (PSBA).

Councilmember Matarrese moved introduction of the ordinance.

Vice Mayor deHaan seconded the motion, which carried by unanimous voice vote – 5.

#### COUNCIL REFERRALS

None.

#### COUNCIL COMMUNICATIONS

(10-559) Consideration of Mayor's nominations for appointments to the Historical Advisory Board; Housing Commission; Planning Board; Recreation and Park Commission; Transportation Commission; and Youth Advisory Commission.

Mayor Johnson nominated Tom Jasper (Contractor seat) for appointment to the Historical Advisory Board (HAB) and Judith Lynch for reappointment to the HAB; Stuart Rickard for appointment to the Housing Commission; Bill Delaney, Joseph Restagno and Bill Sonneman for reappointment to the Recreation and Park Commission; Kristen

Zazo (AUSD representative) for appointment to the Transportation Commission; and Carrie Huang, Amanda Khoo, Danielle McGuinness, Mary Orbeta and Leigh Pond for appointment to the Youth Advisory Commission.

ADJOURNMENT

There being no further business, Mayor Johnson adjourned the meeting at 11:49 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL CITY COUNCIL AND  
COMMUNITY IMPROVEMENT COMMISSION (CIC) MEETING  
TUESDAY- -NOVEMBER 16, 2010- -6:00 P.M.

Mayor/Chair Johnson convened the meeting at 6:00 p.m.

ROLL CALL – Present: Councilmembers/Commissioners deHaan, Gilmore, Matarrese, Tam and Mayor/Chair Johnson – 5.

Absent: None.

The meeting was adjourned to Closed session to consider:

(10-537 CC) Conference with Legal Counsel – Anticipated Litigation; Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; Number of cases: Two.

(10-538 CC/10-75 CIC) Conference with Real Property Negotiators; Property: 2428 Central Avenue; Negotiating parties: Bob Stahl, City Council, and CIC; Under negotiation: Price and terms.

Following the Closed session, the meeting was reconvened and Mayor/Chair Johnson announced that regarding Litigation, the City Council received a briefing from Legal Counsel on a matter of threatened litigation; the City Council provided direction on resolving the matter, which will be discussed at a later open session; regarding Real Property, the City Council and CIC received a briefing from its Real Property Negotiator; no action was taken.

Adjournment

There being no further business, Mayor/Chair Johnson adjourned the meeting at 7:10 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk  
Secretary, CIC

The agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL JOINT CITY COUNCIL, ALAMEDA  
REUSE AND REDEVELOPMENT AUTHORITY (ARRA), AND  
COMMUNITY IMPROVEMENT COMMISSION (CIC) MEETING  
TUESDAY- -NOVEMBER 16, 2010- -7:01 P.M.

Mayor/Chair Johnson convened the meeting at 11:50 p.m.

ROLL CALL - Present: Councilmembers / Board Members / Commissioners deHaan, Gilmore, Matarrese, Tam and Mayor/Chair Johnson – 5.

Absent: None.

CONSENT CALENDAR

Board Member/Commissioner Tam moved approval of the Consent Calendar.

Board Member/Commissioner deHaan seconded the motion, which carried by unanimous voice vote – 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*10-76 CIC) Minutes of the Special Community Improvement Commission Meeting held on October 19, 2010. Approved.

(\*ARRA) Recommendation to Approve a Waiver of License Fees for Alameda Naval Air Museum. Accepted.

EXECUTIVE DIRECTOR COMMUNICATION

(ARRA) Alameda Reuse and Redevelopment Authority Board Composition: Options for New Structure. Continued to December 1, 2010.

REGULAR AGENDA ITEMS

(10-560 CC) Recommendation to Authorize the Community Improvement Commission of the City of Alameda to Enter into an Exclusive Negotiation Agreement with Warmington Residential for Redevelopment of the City's Corporation Yard Located at 1616 Fortmann Way and the City's Animal Shelter Located at 1590 Fortmann Way; and

(10-77 CIC) Recommendation to Approve an Exclusive Negotiation Agreement by and between the Community Improvement Commission and Warmington Residential for Redevelopment of the City's Corporation Yard Located at 1616 Fortmann Way and the City's Animal Shelter Located at 1590 Fortmann Way.

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(10-561 CC/10-78 CIC) Councilmember/Commissioner Matarrese moved approval of continuing the meeting past 12:00 midnight.

Vice Mayor/Commissioner deHaan seconded the motion, which carried by unanimous voice vote – 5.

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The Deputy City Manager – Community Development gave a brief presentation.

Vice Mayor/Commissioner deHaan inquired what safeguards are in place in the event that assets [the Animal Shelter and Corporation Yard] cannot be relocated.

The Deputy City Manager – Development Services responded the term of the Exclusive Negotiation Agreement [ENA] would expire after eighteen-months.

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Councilmember/Commissioner Tam left the dais at 12:01 a.m. and returned at 12:02 a.m.

\* \* \*

Councilmember/Commissioner Gilmore stated the staff report notes that the CIC would reimburse Warmington Residential \$100,000 for geotechnical and environmental testing costs if Warmington Residential elects not to proceed with the project; inquired whether the \$100,000 is different than the amount for the site study to move the Corporation Yard and Animal shelter, to which the Deputy City Manager – Development Services responded in the affirmative.

Councilmember/Commissioner Gilmore inquired where the money would come from, to which the Deputy City Manager – Development Services responded the CIC budget.

Speakers: Chris Anderson, Grand Marina (submitted Power Point); Andy McKinley, Grand Marina (submitted correspondence); and Michael McClellan, Warmington Homes.

Following Mr. McKinley's comments, the Deputy City Manager – Development Services stated retail would be part of the Northern Waterfront General Plan and would be compatible; tomorrow, staff will be meeting with the Grand Marina owners regarding lease negotiations; the ENA has sufficient flexibility.

Councilmember/Commissioner Matarrese stated that he would like to see specific Grand Marina retail incorporated in the negotiations; the Northern Waterfront is littered with failed restaurants; that he hopes industry around the boatyard is kept; the light industrial and retail use area that benefits the City and should be maintained.

Vice Mayor/Commissioner deHaan inquired what is the percentage of [allowed] live-aboards, to which the Deputy City Manager – Development Services responded 10%.

The Panning Services Manager stated the Bay Conservation and Development Commission (BCDC) limit live-aboards to 10%.

Councilmember/Commissioner Matarrese moved approval of giving direction to ensure that the CIC's interest in preserving and promoting industrial and commercial use serving the maritime community, specifically the Alaska Packers building, be highlighted as a CIC interest.

Councilmember/Commissioner Tam inquired whether Councilmember/Commissioner Matarrese is giving direction on the ENA.

Councilmember/Commissioner Matarrese responded the direction is to enter into the ENA and ensure that the CIC's interest be highlighted to maintain and promote commercial activity, specifically the Alaska Packers building.

The Deputy City Manager – Development Services requested clarification on whether the ENA would be modified or the direction is being provided to staff separately, to which Councilmember/Commissioner Matarrese responded direction is being provided to staff.

Councilmember/Commissioner Gilmore inquired at what point parking would be discussed if the ENA were approved.

The Deputy City Manager – Development Services responded in the first several months, Warmington Residential would perform soil and environmental assessments; stated an update could be provided in thirty days; staff would have a better understanding of Grand Marina lease negotiations at that time.

Councilmember/Commissioner Tam stated that she understands the sentence in the staff report noting "if Warmington elects not to proceed with the project and terminates the ENA, the CIC will reimburse Warmington within 60 days for the actual costs of the geotechnical and environmental testing for an amount not-to-exceed \$100,000;" she does not understand the reciprocity with the City; inquired whether the City could terminate the ENA if an appropriate site for the Animal Shelter and Corporation Yard could not be located.

The Deputy City Manager – Development Services responded the ENA term would expire if locations could not be found.

Councilmember / Commissioner Gilmore stated the question Councilmember /

Commissioner Tam is asking is would the City be able to terminate the Contract if a site or sites could not be found to relocate the Corporation Yard and Alameda Shelter after the City pays Warmington Residential for geotechnical and environmental costs.

The City Attorney/Legal Counsel responded the ENA would terminate for any reason if the terms of the Disposition and Development Agreement could not be negotiated or executed, which would include finding alternate sites for the Animal Shelter and Corporation Yard.

Councilmember/Commissioner Matarrese inquired whether the ENA would lapse and the City would pay the \$100,000 for geotechnical and environmental studies if the City could not find a site for the Animal Shelter and/or the Corporation Yard.

The Deputy City Manager – Development Services responded the City would not pay the \$100,000; stated Warmington Residential would bear the risk; Warmington Residential would assume costs by electing to proceed.

Mayor/Chair Johnson stated Warmington Residential would not be reimbursed if they elect to proceed; the City would pay Warmington Residential \$100,000 if Warmington Residential terminates the Agreement before they elect to proceed.

The Deputy City Manager – Development Services stated the studies would be useful for renovation or redevelopment.

Vice Mayor/Commissioner deHaan inquired what is the amount budgeted for consultants to study Animal Shelter and Corporation Yard relocation.

The Deputy City Manager – Development Services Manager responded the City's current fiscal year Public Works budget includes \$376,000 in CIP funds; stated this month, staff issued a Request for Proposals (RFP).

Mayor/Chair Johnson suggested that the item be continued.

Councilmember/Commissioner Matarrese withdrew his motion.

(10-79 CIC) Recommendation to Authorize the Interim Executive Director to Negotiate and Execute a Purchase and Sale Agreement for the Islander Motel Property Located at 2428 Central Avenue; Issue a Request for Qualifications to Secure a Development Partner for Conversion of the Islander Motel to Affordable Workforce Housing; and Approve an Appropriation of \$150,000 from the Business Waterfront Improvement Project Affordable Housing Fund Balance to the Business Waterfront Improvement Project Contractual Services and Housing Project Development Funds for the Required Due Diligence Reports and Deposits.

The Housing Department Executive Director gave a brief presentation.

In response to Commissioner Gilmore's inquiry regarding when the development partner would be locked, the Housing Department Executive Director stated the CIC would enter into an Exclusive Negotiating Agreement (ENA) and Development and Disposition Agreement (DDA) to tie down the deal prior to being notified of the funding.

Speaker: Robb Ratto, PSBA.

Commissioner deHaan inquired currently, how many units are at the Islander Motel.

The Housing Department Executive Director responded the Islander Motel has 62 units; stated one unit is occupied by the resident manager; the building has another structure in back which has been converted to seven units.

Commissioner deHaan inquired how many units are proposed.

The Housing Department Executive Director responded approximately 60 units; stated an architectural study would need to be done to determine the exact number.

Commissioner deHaan inquired what would be the cost for renovation, to which the Housing Department Executive Director responded \$75,000 per unit.

Commissioner deHaan inquired what would be the square footage of a unit.

The Housing Department Executive Director responded approximately 468 square feet; stated the units would be studio-size apartments.

Commissioner Gilmore stated the total cost would be \$4.5 million.

The Housing Department Executive Director stated the approximate cost for the total project, including hard and soft costs, would be approximately \$16 million, which would be \$270,000 per unit; costs are on the high side but are within today's construction costs.

Chair Johnson inquired whether costs are consistent with other projects.

The Housing Department Executive Director responded in the affirmative; stated the Breakers at Bayport and Shinsei Gardens were much higher but the square footage is greater.

Chair Johnson inquired what was the per unit cost for the Shinsei Gardens units, to which the Housing Department Executive Director responded between \$300,000 and \$400,000; the units are approximately 1,000 square feet.

Commissioner Tam stated the Islander Motel location is better than Shinsei Gardens.

Commissioner Tam moved approval of the staff recommendation.

Commissioner Gilmore seconded the motion, which carried by unanimous voice vote – 5.

### ADJOURNMENT

There being no further business, Mayor/Chair Johnson adjourned the meeting at 12:43 a.m.

Respectfully submitted,

Lara Weisiger, City Clerk  
Secretary, CIC

The agenda for this meeting was posted in accordance with the Brown Act.